

27BF, APPEAL, CLOSED, WILLOUGHBY

U.S. District Court
Alabama Middle District (Montgomery)
CRIMINAL DOCKET FOR CASE #: 2:95-cr-00174-WHA-DRB-1
Internal Use Only

Case title: USA v. Ellis, et al
Magistrate judge case number: 2:95-mj-00052

Date Filed: 07/25/1995

Assigned to: Honorable W. Harold
Albritton, III
Referred to: Honorable Delores R. Boyd

Defendant

Darryl Ellis (1)
TERMINATED: 11/26/1996

represented by **Federal Defender**
Federal Defenders
Middle District of Alabama
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Montgomery, AL 36104
334-834-2099
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Email: ECFCMALM@fd.org
TERMINATED: 09/14/1995
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ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

David B. Byrne, III
Beasley Allen Crown Methvin Portis &
Miles PC
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Designation: CJA Appointment

Pending Counts

21:846 CONSP. TO POSS W/INT. TO
DISTB COCAINE - NMT \$4,000,000;

Disposition

LIFE IMPR ON EA CT, TO RUN
CONCURRENTLY; 10 YRS SUP REL

[*]; NLT 10Y, NMT LIFE, B; NLT 5Y
SUP REL; G-LINES; \$50 SA
(1ss)

21:841(a)(1) & 18:2 POSS. W/INT. TO
DISTR. COCAINE BASE & AID and
ABET - NMT \$4,000,000; [*]; NLT
10Y, NMT LIFE, B; NLT 5Y SUP
REL; G-LINES, \$50 SA
(2ss)

ON EA CT, TO RUN
CONCURRENTLY; \$50 SA ON EA
CT

LIFE IMPR ON EA CT, TO RUN
CONCURRENTLY; 10 YRS SUP REL
ON EA CT, TO RUN
CONCURRENTLY; \$50 SA ON EA
CT

Highest Offense Level (Opening)

Felony

Terminated Counts

21:841(a)(1): NARC-POSS W/INTENT
TO DISTR SCH II CONTR SUB
COCAINE BASE-NMT \$4,000,000;
[*]; NLT 10Y, B; NLT 5Y SUP REL;
G-LINES; \$50 SA
(1)

21:846 CONSP TO POSS W/INT TO
DISTR COCAINE - NMT \$4,000,000;
[*]; NLT 10Y, NMT LIFE, B; NLT 5Y
SUP REL; G-LINES; \$50 SA
(1s)

21:841(a)(1) & 18:2 AIDING AND
ABETTING; POSS W/INT TO DISTR
COCAINE BASE - NMT \$4,000,000;
[*]; NLT 10Y, NMT LIFE, B; NLT 5Y
SUP REL; G-LINES; \$50 SA
(2s)

Disposition

Dismissed on oral motion of USA

Dismissed on oral motion of USA

Dismissed on oral motion of USA

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Charles F. Teschner**
U.S. Attorney's Office
PO Box 197

Montgomery, AL 36101-0197
 334-223-7280
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TERMINATED: 08/22/2000
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Date Filed	#	Docket Text
07/11/1995		ARREST of Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/11/1995		**Location LC as to Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/14/1995)
07/12/1995	1	COMPLAINT as to Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/12/1995)
07/12/1995	2	Arrest WARRANT issued as to Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/12/1995)
07/12/1995		**Added Government Attorney Redding Pitt as to Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/12/1995)
07/13/1995		Initial appearance as to Darryl Ellis held before Mag. Judge Charles S. Coody on 7/13/95 ;Preliminary Examination set for 2:00 7/17/95 for Darryl Ellis at Third Floor Courtroom ; Detention Hearing set for 2:00 7/17/95 for Darryl Ellis at Third Floor Courtroom (Defendant informed of rights.) [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995	3	Courtroom Deputy's Minutes as to Darryl Ellis: Re: Initial Appearance [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995	4	MOTION by USA as to Darryl Ellis for Detention Hearing [4-1] referred to Mag. Judge Charles S. Coody [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995	5	CJA 23 FINANCIAL AFFIDAVIT by Darryl Ellis [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995	6	ORDER as to Darryl Ellis granting [4-1] motion for Detention Hearing as to Darryl Ellis (1), set Detention Hearing for 2:00 7/17/95 for Darryl Ellis

		before Mag. Judge Charles S. Coody in Third Floor Courtroom , set Preliminary Examination for 2:00 7/17/95 for Darryl Ellis before Mag. Judge Charles S. Coody in Third Floor Courtroom (Signed by Mag. Judge Charles S. Coody) , Copies furnished to: counsel, USA, USM, USPTS, USPO, Marie [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995	7	ORDER as to Darryl Ellis, Appointing Federal Defender as Counsel for the defendant (Signed by Mag. Judge Charles S. Coody) Copies mailed to: Federal Defender, Copies furnished to: USA, USM, USPTS, USPO [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/13/1995		**Added for Darryl Ellis Attorney Federal Defender [2:95-m -52] (dkt clerk) (Entered: 07/13/1995)
07/14/1995	8	Arrest WARRANT Returned Executed as to Darryl Ellis on 7/11/95 [2:95-m -52] (sql) (Entered: 07/14/1995)
07/17/1995		Detention hearing as to Darryl Ellis held before Mag. Judge Charles S. Coody on 7/17/95. [2:95-m -52] (dkt clerk) (Entered: 07/18/1995)
07/17/1995		Preliminary Hearing as to Darryl Ellis held before Mag. Judge Charles S. Coody on 7/17/95. Court finds probable cause. Defendant bound over to the Grand Jury. [2:95-m -52] (dkt clerk) (Entered: 07/18/1995)
07/17/1995	9	Courtroom Deputy's Minutes as to Darryl Ellis: Re: Detention/Preliminary Hearing. [2:95-m -52] (dkt clerk) (Entered: 07/18/1995)
07/19/1995	10	ORDER as to Darryl Ellis, finding probable cause and binding the defendant over to the Grand Jury (Signed by Mag. Judge Charles S. Coody) , Copies furnished to: FDP, USA, USM, USPO, USPTS [2:95-m -52] (dkt clerk) (Entered: 07/19/1995)
07/19/1995	11	DETENTION ORDER as to Darryl Ellis (Signed by Mag. Judge Charles S. Coody) , Copies furnished to: FDP, USA, USM, USPO, USPTS [2:95-m -52] (dkt clerk) (Entered: 07/19/1995)
07/25/1995	12	INDICTMENT as to Darryl Ellis (1) count(s) 1 (Copies furnished to: USA, USM, USPO, USPTS) (nhr) (Entered: 07/26/1995)
07/26/1995	13	ORDER to U. S. Marshal as to Darryl Ellis, to Produce prisoner for Arraignment on 8/9/95 @ 10 a.m., in First Floor Courtroom (Signed by Mag. Judge John L. Carroll) , Copies furnished to: USA, USM, USPO, USPTS, FD (nhr) (Entered: 07/26/1995)
07/26/1995		**Added Government Attorney Charles F. Teschner as to Darryl Ellis (nhr) (Entered: 07/26/1995)
07/26/1995		Magistrate Judge John L. Carroll assigned to case for discovery matters as well as matters subsequently referred by District Judge Ira De Ment . (nhr) (Entered: 07/26/1995)
07/26/1995		ARRAIGNMENT as to Darryl Ellis set for 10:00 8/9/95 in First Floor Courtroom before Mag. Judge John L. Carroll (nhr) (Entered: 07/26/1995)

07/26/1995		**Added party Darryl Ellis: address is: Montgomery City Jail, P. O. Box 159, Montgomery, Alabama 36101 (nhr) (Entered: 07/26/1995)
08/09/1995		ARRAIGNMENT as to Darryl Ellis held before Mag. Judge John L. Carroll on 8/9/95 Defendant(s) appeared with counsel and after having been advised of Defendant(s)' rights, entered a plea of not guilty. (sql) (Entered: 08/09/1995)
08/09/1995		PLEA of Not Guilty: Darryl Ellis (1) count(s) 1 ; Court accepts plea. (sql) (Entered: 08/09/1995)
08/09/1995	14	Courtroom Deputy's Minutes as to Darryl Ellis of arraignment.: (sql) (Entered: 08/09/1995)
08/10/1995	15	MOTION by USA as to Darryl Ellis for order directing the U.S. Marshal to release custody of prisoner to Alcoholic Beverage Control Board [15-1] referred to Mag. Judge Charles S. Coody (dkt clerk) Modified on 08/10/1995 (Entered: 08/10/1995)
08/10/1995	16	ORDER as to Darryl Ellis granting [15-1] motion for order directing the U.S. Marshal to release custody of prisoner to Alcoholic Beverage Control Board as to Darryl Ellis [1] beginning 8/10/95 and continuing through trial; that Jeff Adkinson return said prisoner into the custody of the United States Marshals Service when he has finished with him. (Signed by Mag. Judge Charles S. Coody) , Copies furnished to: USA & USM (dkt clerk) (Entered: 08/10/1995)
08/14/1995		Jury selection as to Darryl Ellis set for 10:00 9/25/95 for Darryl Ellis at U.S. Courthouse before Judge Ira De Ment (dkt clerk) (Entered: 08/14/1995)
08/14/1995		Jury trial as to Darryl Ellis set for 10:00 9/25/95 for Darryl Ellis at U.S. Courthouse before Judge Ira De Ment (dkt clerk) (Entered: 08/14/1995)
08/15/1995	17	ORDER as to Darryl Ellis, set voir dire questions due on 9/18/95 for Darryl Ellis , set proposed jury instructions due on 9/18/95 for Darryl Ellis; DIRECTING that all trial exhibits be premarked prior to trial (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) (Entered: 08/15/1995)
08/15/1995	18	TRIAL NOTICE as to Darryl Ellis ; Trial set for 10:00 9/25/95 for Darryl Ellis in First Floor Courtroom ; TRIAL Notice to ATTORNEYS Federal Defender for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA ; Clothing Notice mailed. (Copies furn. to PO, PTSO, USM.) (dkt clerk) (Entered: 08/16/1995)
08/17/1995	19	ORDER on Arraignment as to Darryl Ellis directing that the Government response to pretrial motions due 10 days from motion filing date. (Signed by Mag. Judge John L. Carroll Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS (nhr) (Entered: 08/17/1995)

08/23/1995	20	EX PARTE MOTION by Darryl Ellis (filed under Seal) [20-1] referred to Judge Ira De Ment (nhr) (Entered: 08/23/1995)
08/23/1995	21	MOTION by Darryl Ellis to Dismiss Indictment due to unconstitutionality of statutory penalty [21-1] referred to Judge Ira De Ment (nhr) (Entered: 08/23/1995)
08/23/1995	22	MOTION by Darryl Ellis to Suppress [22-1] referred to Judge Ira De Ment (nhr) (Entered: 08/23/1995)
08/23/1995	23	MEMORANDUM OF FACTS by Darryl Ellis in support of [22-1] motion to Suppress. Referred to Judge DeMent. (nhr) (Entered: 08/23/1995)
08/23/1995	24	MEMORANDUM OF LAW by Darryl Ellis in support of [22-1] motion to Suppress. Referred to Judge DeMent. (nhr) (Entered: 08/23/1995)
08/23/1995	25	MOTION by Darryl Ellis for Transcript of Detention and Preliminary Hearings and citations of authority [25-1] referred to Mag. Judge John L. Carroll (nhr) Modified on 08/23/1995 (Entered: 08/23/1995)
08/23/1995	26	MOTION by Darryl Ellis for witness interview and citations of authority [26-1] referred to Mag. Judge John L. Carroll (nhr) (Entered: 08/23/1995)
08/24/1995	27	ORDER as to Darryl Ellis, to Show Cause ; that the U. S. show cause no later than 9/5/95, why motion to dismiss indictment, etc., should not be granted (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 08/24/1995)
08/24/1995	28	EX PARTE MOTION by Darryl Ellis [28-1] referred to Judge Ira De Ment. SEALED per 9/27/95 order. Placed in vault. (dkt clerk) Modified on 09/27/1995 (Entered: 08/25/1995)
08/29/1995	29	ORDER Response to Motion reset for 9/11/95 for Darryl Ellis [26-1] motion for witness interview and citations of authority (Signed by Mag. John L. Carroll) Copies mailed to: counsel, Copies furnished to: usa & ptso (sql) (Entered: 08/29/1995)
08/29/1995	30	ORDER as to Darryl Ellis denying [25-1] motion for Transcript of Detention and Preliminary Hearings and citations of authority; directing clerk's office to provide counsel for deft. with a tape of the detention & preliminary hearing held in this cause (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: usa & ptso (sql) (Entered: 08/29/1995)
08/29/1995	31	SUPERSEDING INDICTMENT as to Darryl Ellis (1) count(s) 1s, 2s , Darrell B. Walker (2) count(s) 1, 2, Levoil L. Jackson (3) count(s) 1, 4, 5, Samuel Peaks (4) count(s) 1, 3, 4, 5 , Copies furnished to: USA, USM, USPO, USPTS, Ridge, Federal Defender (dkt clerk) (Entered: 09/05/1995)
08/29/1995		**Reset last document number to 31 (dkt clerk) (Entered: 09/06/1995)

08/29/1995		** Added Government Attorney Charles F. Teschner as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks (dkt clerk) (Entered: 09/06/1995)
08/30/1995	33	MOTION by Darryl Ellis to Strike [28-1] ex parte motion by Darryl Ellis [33-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 09/06/1995)
08/31/1995	34	NOTICE OF APPEAL by Darryl Ellis from the Magistrate Judge Order to the District Court re: [30-1] order. referred to Judge Ira De Ment. (SEALED PER ORDER OF 8/31/95) (dkt clerk) Modified on 09/06/1995 (Entered: 09/06/1995)
08/31/1995	35	MOTION by Darryl Ellis to Seal [34-1] Appeal to District Court from An Order of the Magistrate Judge [35-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 09/06/1995)
08/31/1995	36	ORDER as to Darryl Ellis granting [35-1] motion to Seal [34-1] Appeal to District Court from An Order of the Magistrate Judge as to Darryl Ellis (1) (Signed by Mag. Judge John L. Carroll) Copies mailed to: Counsel, Copies furnished to: USA, USPTS, USPO (dkt clerk) (Entered: 09/06/1995)
08/31/1995	37	ORDER as to Darryl Ellis to Produce Prisoner for Arraignment set for 9/13/95 at 10:00 a.m. (Signed by Mag. Judge Charles S. Coody) , Copies furnished to: USA, USM, USPTS, USPO (dkt clerk) (Entered: 09/06/1995)
08/31/1995		ARRAIGNMENT as to Darryl Ellis, Levoil L. Jackson, Samuel Peaks set for 10:00 9/13/95 for Darryl Ellis, for Levoil L. Jackson, for Samuel Peaks at Fourth Floor Courtroom before Mag. Judge Charles S. Coody (dkt clerk) (Entered: 09/06/1995)
09/05/1995	40	MEMORANDUM by Darryl Ellis in support of [21-1] defendant's motion to Dismiss Indictment. Referred to Judge DeMent. (dkt clerk) (Entered: 09/06/1995)
09/05/1995	41	RESPONSE by USA as to Darryl Ellis re [22-1] defendant's motion to Suppress Evidence. Referred to Judge DeMent. (dkt clerk) (Entered: 09/06/1995)
09/05/1995	42	RESPONSE by USA as to Darryl Ellis re [21-1] motion to Dismiss. Referred to Judge DeMent. (dkt clerk) (Entered: 09/06/1995)
09/06/1995	43	RESPONSE by USA as to Darryl Ellis re [26-1] motion for witness interview. Referred to Mag. Judge John L. Carroll. (dkt clerk) (Entered: 09/07/1995)
09/06/1995	44	MOTION by USA as to Darryl Ellis for Leave to Dismiss Indictment [44-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 09/07/1995)
09/07/1995	45	MOTION (w/attached affidavit filed under seal) by counsel for Darryl Ellis for Limited Appointment of Second Counsel [45-1] referred to Mag. Judge Carroll. (dkt clerk) Modified on 09/08/1995 (Entered: 09/07/1995)

09/07/1995		STAMPED ORDER as to Darryl Ellis granting [44-1] motion for Leave to Dismiss Indictment as to Darryl Ellis (1) EOD: 9/7/95 (Entered by Judge Ira De Ment) ,Copies mailed to defendant; Copies furnished to: USA, USM, USPO, UPSTS, Ridge, Federal Defender, copy placed in vault. (dkt clerk) (Entered: 09/07/1995)
09/07/1995		DISMISSAL of Count(s) on Government Motion as to Darryl Ellis; Counts Dismissed: Darryl Ellis (1) count(s) 1 (dkt clerk) (Entered: 09/07/1995)
09/08/1995	50	ARRAIGNMENT NOTICE as to Darryl Ellis ; Arraignment at 10:00 9/13/95 for Darryl Ellis at Fourth Floor Courtroom before Mag. Judge Charles S. Coody ; ARRAIGNMENT Notice sent to ATTORNEYS Federal Defender for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA; furnished to PO, PTSO, USM, defendant. (dkt clerk) (Entered: 09/08/1995)
09/12/1995	55	ORDER as to Darryl Ellis, ex parte hearing set for 10:00 a.m. on 9/14/95 for Darryl Ellis before Mag. Judge John L. in Third Floor Courtroom re: [45-1] motion for Limited Appointment of Second Counsel; counsel should be prepared discuss, inter alia, the question of whether the conflict is waivable (Signed by Mag. Judge John L. Carroll) , Copies furnished to: Federal Defender ONLY, Ridge, Stan, Marie. (dkt clerk) Modified on 09/12/1995 (Entered: 09/12/1995)
09/14/1995	64	CJA 20 as to Darryl Ellis : Appointment of Attorney David B. Byrne III Voucher # 0642874 (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, (sql) Modified on 09/18/1995 (Entered: 09/15/1995)
09/14/1995		**Terminated attorney Federal Defender for Darryl Ellis (sql) (Entered: 09/15/1995)
09/14/1995	65	MOTION by Darryl Ellis for Christine A. Freeman to Withdraw as Attorney , for Appointment of New Counsel [65-1] and [65-2] referred to Judge Ira De Ment (dkt clerk) (Entered: 09/18/1995)
09/15/1995	67	ORDER as to Darryl Ellis, continuing Arraignment to 9:00 9/21/95 for Darryl Ellis Mag. Judge Charles S. Coody in Room 330 Courtroom (Signed by Mag. Judge Charles S. Coody) Copies mailed to: counsel defendant, Copies furnished to: USA, USM, USPO, USPTS, Ridge, Ace, Marie. (dkt clerk) (Entered: 09/18/1995)
09/15/1995	68	INFORMATION to Establish Prior Conviction(s) as to Darryl Ellis. (Judgment and restitution order attached.) Referred to Judge DeMent. (dkt clerk) (Entered: 09/18/1995)
09/18/1995	69	MOTION by Darryl Ellis to continue trial [69-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 09/18/1995)
09/18/1995	71	Proposed Jury Instructions (Nos. 1-17) by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, and Samuel Peaks. Referred to Judge DeMent. (nhr) (Entered: 09/19/1995)

09/18/1995		**Reset last document number to 71 (dkt clerk) (Entered: 09/19/1995)
09/19/1995	75	WAIVER of Speedy Trial by Darryl Ellis. Referred to Judge DeMent. (dkt clerk) (Entered: 09/19/1995)
09/21/1995		ARRAIGNMENT as to Darryl Ellis held before Mag. Judge Charles S. Coody on 9/21/95 Defendant(s) appeared with counsel and after having been advised of Defendant(s') rights, entered a plea of not guilty. (dkt clerk) (Entered: 09/21/1995)
09/21/1995	76	Courtroom Deputy's Minutes as to Darryl Ellis: Re: Arraignment (dkt clerk) (Entered: 09/21/1995)
09/21/1995	77	ORDER on Arraignment as to Darryl Ellis directing that and government response to pretrial motions due 10 days from motion filing date. (Signed by Mag. Judge Charles S. Coody) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO (dkt clerk) (Entered: 09/21/1995)
09/21/1995	78	ORDER as to Darryl Ellis, Levoil L. Jackson, Samuel Peaks denying [73-1] motion Objection to Continuance of Trial as to Levoil L. Jackson (3), granting [69-1] motion to continue trial as to Darryl Ellis (1), granting [53-1] motion to continue trial as to Samuel Peaks (4), Continuance is in the Interests of Justice 18 USC 3161(h)(8)(A). Time Excluded from 9/21/95 to 1/8/96 , reset Jury Trial on 10:00 1/8/96 for Darryl Ellis, for Levoil L. Jackson, for Samuel Peaks before Ira De Ment in U.S. Courthouse (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM, BRENDA, MARIE (dkt clerk) (Entered: 09/21/1995)
09/21/1995		STAMPED ORDER as to Darryl Ellis granting [65-1] motion for Christine A. Freeman to Withdraw as Attorney (Terminated as to Darryl Ellis (1), granting [65-2] motion for Appointment of New Counsel as to Darryl Ellis (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM (dkt clerk) (Entered: 09/21/1995)
09/27/1995	80	ORDER as to Darryl Ellis denying without prejudice [28-1] Ex Parte motion for subpoenas as to Darryl Ellis (1); directing the clerk's office to provide a copy of the motion and this order to defendant's present counsel and to place the motion and this order under SEAL. (Signed by Mag. Judge John L. Carroll) Copies mailed to: David B. Byrne, III. SEALED and placed in vault. (dkt clerk) (Entered: 09/27/1995)
09/27/1995		STAMPED ORDER as to Darryl Ellis denying as moot [45-1] motion for Limited Appointment of Second Counsel as to Darryl Ellis (Entered by Mag. Judge John L. Carroll) Copies mailed counsel, Copies furnished to: USA, FPD (dkt clerk) (Entered: 09/27/1995)
09/29/1995	81	MOTION by Darryl Ellis to reveal information relating to any agreement, promise, or immunity, compensation or other offers of benefits to witnesses or prospective witnesses by the United States [81-1] referred to

		Mag. Judge John L. Carroll (dkt clerk) (Entered: 10/02/1995)
09/29/1995	82	MOTION by Darryl Ellis for Discovery and inspection and early Jencks disclosure [82-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 10/02/1995)
09/29/1995	83	MOTION by Darryl Ellis for Disclosure of confidential informants [83-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 10/02/1995)
09/29/1995	84	Resubmission of Ex Parte MOTION by Darryl Ellis for Rule 17 subpoena Duces Tecum by newly appointed counsel SEALED MOTION [84-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 10/02/1995)
10/03/1995	86	ORDER that the government is to review and evaluate all evidence in its possession relating to this matter and respond to [83-1] motion for Disclosure of confidential informants as to Darryl Ellis (1), [82-1] motion for Discovery and inspection and early Jencks disclosure as to Darryl Ellis (1), [81-1] motion to reveal information relating to any agreement, promise, or immunity, compensation or other offers of benefits to witnesses or prospective witnesses by the United States as to Darryl Ellis (1) , within 10 days of the date of this order; that the response shall be made directly to counsel in this cause and is not required to be filed with the court; that the motions referenced in this order be and are hereby GRANTED as to Rule 16 of F.R.C.P and discovery of exculpatory material which the Constitution requires be disclosed; that except as provided herein the motion be and are otherwise DENIED without prejudice to the filing of a motion to compel. (signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) (Entered: 10/03/1995)
10/03/1995	87	ORDER as to Darryl Ellis granting [84-1] motion SEALED MOTION as to Darryl Ellis (1); that the motion and this order be placed under SEAL until further order of the court. SEALED AND PLACED IN VAULT. (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USM (dkt clerk) (Entered: 10/03/1995)
10/03/1995		Subpoena Duces Tecum by Darryl Ellis issued per 10/3/95 order. (dkt clerk) (Entered: 10/03/1995)
10/10/1995		**Terminated deadlines as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks (dkt clerk) (Entered: 10/10/1995)
10/19/1995	90	ORDER as to Darryl Ellis denying [26-1] motion for witness interview and citations of authority as to Darryl Ellis (1) (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PTSO, FPD (dkt clerk) (Entered: 10/19/1995)
11/15/1995	95	MOTION by Darryl Ellis in Limine - handwritten letter [95-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 11/15/1995)
11/15/1995	96	MEMORANDUM by Darryl Ellis in support of [95-1] motion in Limine - handwritten letter. Referred to Judge DeMent. (dkt clerk) (Entered: 11/15/1995)

		11/15/1995)
11/27/1995		**Reset last document number to 102 (dkt clerk) (Entered: 11/30/1995)
12/05/1995	104	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, set voir dire questions due on 1/2/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks , set proposed jury instructions due on 1/2/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks ; all trial exhibits are to be premarked prior to trial. (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, USPO, Ridge. (dkt clerk) (Entered: 12/05/1995)
12/08/1995	105	RESPONSE by USA as to Darryl Ellis re [95-1] motion in Limine - handwritten letter referred to Judge DeMent. (dkt clerk) (Entered: 12/08/1995)
12/08/1995		STAMPED ORDER as to Darryl Ellis granting [33-1] motion to Strike [28-1] ex parte motion by Darryl Ellis (Entered by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 12/08/1995)
12/08/1995		STAMPED ORDER as to Darryl Ellis denying [21-1] motion to Dismiss Indictment due to unconstitutionality of statutory penalty (Entered by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 12/08/1995)
12/11/1995	106	ORDER as to Darryl Ellis, for the U.S. Attorney to Show Cause on later than 12/13/95 why defendant's motion in limine should not be granted (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) Modified on 12/11/1995 (Entered: 12/11/1995)
12/12/1995	107	TRIAL NOTICE as to Darryl Ellis ; Trial set for 10:00 1/8/96 for Darryl Ellis at First Floor Courtroom ; TRIAL Notice to ATTORNEYS David B. Byrne III for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA ; Clothing Notice mailed. Copy furnished to defendant via USM; Copies furnished to: USM, USPTS. (nhr) (Entered: 12/12/1995)
12/13/1995	111	ORDER as to Darryl Ellis denying as moot [95-1] motion in Limine - handwritten letter as to Darryl Ellis, based on government's stipulation that it will redact the sentence referring to defendant's desire to testify in court. (1) (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) (Entered: 12/13/1995)
12/13/1995	112	ORDER as to Darryl Ellis granting in part, denying in part [20-1] motion (filed under Seal) as to Darryl Ellis (1), Sealing this order and motion (Signed by Judge Ira De Ment) Copies mailed to: David B. Byrne, Jr., (dkt clerk) (Entered: 12/13/1995)
12/13/1995	113	ORDER as to Darryl Ellis, AFFIRMING the [30-1] order of Judge Carroll denying defendant's motion for a transcript of the detention and

		preliminary hearing, terminating [34-1] appeal as to Darryl Ellis (1) (Signed by Judge Ira De Ment) Copies mailed to: Counsel, Defendant, Copies furnished to: USA, USM, USPO, USPTS (dkt clerk) (Entered: 12/13/1995)
12/13/1995		**Remove appeal flag - no further appeals pending (dkt clerk) (Entered: 12/13/1995)
12/14/1995	114	ORDER as to Darryl Ellis, Motion hearing set for 9:00 12/19/95 for Darryl Ellis before Mag. Judge John L. Carroll in Third Floor Courtroom re: [22-1] motion to Suppress (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, Stan, Ridge, Marie. (dkt clerk) (Entered: 12/15/1995)
12/19/1995	117	ORDER as to Darryl Ellis, Darrell B. Walker, Motion hearing reset for 2:00 12/21/95 for Darryl Ellis, for Darrell B. Walker before Mag. Judge John L. Carroll in Third Floor Courtroom re: [22-1] motion to Suppress clerk's office is directed to provide counsel for the parties with a copy of this order by facsimile. (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge, Stan, Marie. (dkt clerk) (Entered: 12/19/1995)
12/19/1995	118	ORDER as to Darryl Ellis, Darrell B. Walker, Motion hearing reset for 2:00 1/2/96 for Darryl Ellis, for Darrell B. Walker before Mag. Judge John L. Carroll in Third Floor Courtroom re: [22-1] motion to Suppress (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge, Stan, Marie. (dkt clerk) Modified on 12/28/1995 (Entered: 12/19/1995)
12/19/1995	119	EX PARTE MOTION (w/attached subpoenas) by Darryl Ellis to issue subpoenas [119-1] referred to Judge Ira De Ment. Referred to Mag. Judge Carroll 12/20/95. SEALED AND PLACED IN VAULT 12/20/95. (dkt clerk) Modified on 12/20/1995 (Entered: 12/19/1995)
12/20/1995	120	MOTION by Darryl Ellis to Seal ex parte motion to issue subpoenas [120-1] referred to Judge Ira De Ment. Referred to Mag. Judge Carroll 12/20/95. SEALED AND PLACED IN VAULT 12/20/95. (dkt clerk) Modified on 12/20/1995 (Entered: 12/20/1995)
12/20/1995	121	ORDER as to Darryl Ellis granting [120-1] motion to Seal ex parte motion to issue subpoenas as to Darryl Ellis (1), granting [119-1] motion to issue subpoenas as to Darryl Ellis (1) (Signed by Mag. Judge John L. Carroll) Copy mailed to: counsel. DOC. #119, #120, #121 SEALED AND PLACED IN VAULT AS PER ORDER ENTERED 12/20/95. (dkt clerk) (Entered: 12/20/1995)
12/21/1995	122	PETITION by USA for Writ of Habeas Corpus ad testificandum as to Darryl Ellis for the Elmore County Jail to deliver Lee Vann Anderson to this Court on 1/8/96 (referred to Judge Ira De Ment) (dkt clerk) (Entered: 12/22/1995)

12/28/1995		Motion hearing set for 2:00 1/2/96 for Darryl Ellis, for Darrell B. Walker before Mag. Judge John L. Carroll in Third Floor Courtroom re: [22-1] motion to Suppress (dkt clerk) (Entered: 12/28/1995)
12/28/1995	129	ORDER as to Darryl Ellis granting [122-1] petition for writ of habeas corpus ad testificandum for the appearance of Lee Vann Anderson on 1/8/96; as to Darryl Ellis (1) (Signed by Judge Ira De Ment) , Copies furnished to: USA, PTSO, PO, USM (dkt clerk) (Entered: 12/28/1995)
12/28/1995	130	WRIT of Habeas Corpus ad Testificandum issued for Lee Vann Anderson for 1/8/96 in case as to Darryl Ellis (dkt clerk) (Entered: 12/28/1995)
12/29/1995	131	MOTION (PETITION) by USA as to Darryl Ellis for Order directing the U.S. Marshal to Release Custody of Prisoner to Montgomery County Sheriff's Department [131-1] referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 12/29/1995)
12/29/1995	132	ORDER as to Darryl Ellis granting [131-1] motion for Order directing the U.S. Marshal to Release Custody of Prisoner to Montgomery County Sheriff's Department beginning 12/29/95 and continuing through trial , which is scheduled to begin 1/8/96 as to Darryl Ellis (1); Bert Bodiford of the Montgomery County Sheriff's Dept. is to return prisoner into the custody of the USM when he has finished with him. (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA, USM, USPTS, Ridge. (dkt clerk) (Entered: 12/29/1995)
12/29/1995		Change of Plea hearing set for 10:00 1/3/96 for Darryl Ellis at First Floor Courtroom before Judge Ira De Ment (dkt clerk) (Entered: 12/29/1995)
12/29/1995	134	CHANGE OF PLEA NOTICE as to Darryl Ellis ; Change of Plea set for 10:00 1/3/96 for Darryl Ellis at First Floor Courtroom before Judge Ira De Ment CHANGE OF PLEA Notice sent to ATTORNEYS David B. Byrne III for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA; furnished to defendant, USM, PTSO, PO (dkt clerk) (Entered: 12/29/1995)
01/02/1996		Motion hearing held before Mag. Judge John L. Carroll as to Darryl Ellis, Darrell B. Walker re: [22-1] motion to Suppress (sql) Modified on 01/10/1996 (Entered: 01/03/1996)
01/02/1996	142	Courtroom Deputy's Minutes, witness & exhibit lists as to Darryl Ellis, Darrell B. Walker of hearing on motion to suppress.: (sql) (Entered: 01/03/1996)
01/03/1996		**Terminated CHANGE OF PLEA deadlines as to Darryl Ellis. (Dft removed from consent docket per attorney's request.) (snc) (Entered: 01/03/1996)
01/03/1996	146	PETITION/MOTION by USA as to Darryl Ellis for Order directing the U. S. Marshal to Release Prisoner Lee Vann Anderson from Custody of USM to custody of Bert Bodiford, Montgomery County Sheriff's Department on

		January 3, 1996, for purposes of trial preparation. [146-1] referred to Mag. Judge John L. Carroll (nhr) (Entered: 01/03/1996)
01/03/1996	147	ORDER as to Darryl Ellis granting [146-1] motion for Order directing the U. S. Marshal to Release Prisoner Lee Vann Anderson from Custody of USM to Bert Bodiford, Montgomery County Sheriff's Department on 1/3/96, for the purpose of trial preparation; prisoner is to be returned to the custody of the U.S. Marshal when Bert Bodiford has finished with him. (Signed by Mag. Judge John L. Carroll) , Copies furnished to:USA, USM, Ridge. (dkt clerk) (Entered: 01/03/1996)
01/03/1996		**Reset last document number to 148 (nhr) (Entered: 01/03/1996)
01/03/1996	151	MOTION by Darryl Ellis to Adopt Requested Jury Instructions and Requested Voir Dire Questions of Other Defendant, Darrell Walker [151-1] referred to Judge Ira De Ment (nhr) (Entered: 01/03/1996)
01/03/1996	152	RECOMMENDATION and ORDER of Mag. Judge John L. Carroll as to Darryl Ellis, Darrell B. Walker Re: [103-1] motion to Adopt Defendant Darryl Ellis' Motion to Suppress, [22-1] motion to Suppress, recommendation that the motion to suppress filed by defendant Darryl Ellis on 8/23/95 and adopted by the defendant Darrell Walker on 12/6/95 be denied ; Objections to R and R due by close of business day on 1/4/96 Copies mailed to: counsel; faxed to counsel per Judge Carroll's Order, Copies furnished to: USA, USM, USPO, USPTS, Ridge (dkt clerk) Modified on 01/04/1996 (Entered: 01/03/1996)
01/04/1996	156	OBJECTION by Darryl Ellis to [152-1] report and recommendations. Referred to Judge DeMent. (dkt clerk) (Entered: 01/04/1996)
01/08/1996		TRANSCRIPT filed in case as to Darryl Ellis for Detention/Preliminary Hearing held 7/17/95 at 2:00 p.m. before Magistrate Judge Coody. (dkt clerk) (Entered: 01/08/1996)
01/08/1996		**Reset last document number to 158 (dkt clerk) (Entered: 01/08/1996)
01/08/1996		STAMPED ORDER as to Darryl Ellis granting [151-1] motion to Adopt Requested Jury Instructions and Requested Voir Dire Questions of Other Defendant, Darrell Walker as to Darryl Ellis (1) (Entered by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 01/08/1996)
01/08/1996		ORDER entered by Judge Ira DeMent on January 8, 1996, allowing defendant Darryl Ellis to adopt the requested jury instructions and requested voir dire of co-defendant, Darrell Walker. (nhr) (Entered: 01/08/1996)
01/08/1996		Voir dire begun as to Darryl Ellis (1) count(s) 1s, 2s, Darrell B. Walker (2) count(s) 1, 2, Levoil L. Jackson (3) count(s) 1, 4, 5, Samuel Peaks (4) count(s) 1, 3, 4, 5 Terminated motions terminating [125-1] motion in Limine as to Levoil L. Jackson (3) (dkt clerk) (Entered: 01/11/1996)

01/08/1996		Jury selection as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/8/96. Trial to commence 1/12/96 at 9:00 a.m. (dkt clerk) (Entered: 01/11/1996)
01/09/1996	159	MOTION (PETITION) by USA as to Darryl Ellis for Order Directing the U.S. Marshal to Release Custody of Prisoner (Lee Vann Anderson) [159-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 01/09/1996)
01/09/1996	160	ORDER as to Darryl Ellis granting [159-1] motion for Order Directing the U.S. Marshal to Release Custody of Prisoner on 1/9/96 (Lee Vann Anderson) for the purpose of trial preparation without the necessity of the presence of a Deputy U.S. Marshal as to Darryl Ellis (1) ; prisoner is to be returned to the custody of the USM when Bert Bodiford (Montgomery County Sheriff's Department) has finished with him. (Signed by Mag. Judge John L. Carroll) , Copies furnished to: USA, USM, Ridge. (dkt clerk) (Entered: 01/09/1996)
01/09/1996	165	INFORMATION to Establish Prior Conviction(s) as to Darryl Ellis (with attachments). Referred to Judge DeMent. (dkt clerk) (Entered: 01/09/1996)
01/10/1996		**Terminated document(s) as to Darryl Ellis, Darrell B. Walker : terminating [152-1] report and recommendations as to Darryl Ellis (1), Darrell B. Walker (2) (ws) (Entered: 05/22/2002)
01/10/1996	166	ORDER as to Darryl Ellis, Darrell B. Walker, that defendants' objections are hereby OVERRULED; that the Recommendation of the U. S. Magistrate Judge is hereby Adopted, Approved and Affirmed; that the [22-1] motion to Suppress as to Darryl Ellis (1), Darrell B. Walker (2) is hereby DENIED. (Signed by Judge Ira De Ment) Copies mailed to: Counsel, defendants, Copies furnished to: USA, USM, USPO, USPTS, Ridge; copy placed in Order book in Vault. (nhr) (Entered: 01/10/1996)
01/10/1996		**Added ip party Reteshia Harris re: Motion to Quash Writ of Habeas Corpus ad Testificandum filed on 1/10/96. (nhr) (Entered: 01/11/1996)
01/10/1996		**Reset last document number to 170 (nhr) (Entered: 01/11/1996)
01/11/1996		**Reset last document number to 172 (nhr) (Entered: 01/11/1996)
01/12/1996	175	Stipulation of agreed to facts by Darryl Ellis. (dkt clerk) (Entered: 01/16/1996)
01/12/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/12/96 (dkt clerk) (Entered: 01/16/1996)
01/12/1996		**Termination of party Reteshia Harris pending deadlines and pending motions (dkt clerk) (Entered: 01/16/1996)
01/16/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/16/96 (dkt clerk) (Entered: 01/16/1996)

		01/16/1996)
01/16/1996		MOTION in open court by Darryl Ellis for Judgment of Acquittal (dkt clerk) (Entered: 01/17/1996)
01/16/1996		ORAL ORDER as to Darryl Ellis denying [0-0] oral motion for Judgment of Acquittal as to Darryl Ellis (1) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 01/17/1996)
01/17/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/17/96 (dkt clerk) (Entered: 01/29/1996)
01/17/1996		MOTION in open court by Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks for Judgment of Acquittal at the conclusion of all the evidence. (dkt clerk) (Entered: 01/29/1996)
01/17/1996		ORAL ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks denying [0-0] oral motion for Judgment of Acquittal at the conclusion of all the evidence. as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 01/29/1996)
01/17/1996	179	Note from the Jury. (Election of foreperson and request to recess until the morning.) (dkt clerk) (Entered: 01/29/1996)
01/18/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/18/96. (Jury deliberations) (dkt clerk) (Entered: 01/29/1996)
01/18/1996	180	Note from the jury requesting law on conspiracy. (dkt clerk) (Entered: 01/29/1996)
01/18/1996	181	Note from jury. "Deadlocked". (dkt clerk) (Entered: 01/29/1996)
01/18/1996	182	Note from jury. Requesting testimony of Sam Peaks. (dkt clerk) (Entered: 01/29/1996)
01/19/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks held before Judge Ira De Ment on 1/19/96. (Jury Deliberations) (dkt clerk) (Entered: 01/29/1996)
01/19/1996	183	Note from jury. Requesting copy of the law on conspiracy, circumstantial evidence and possession. (dkt clerk) (Entered: 01/29/1996)
01/19/1996	184	Courtroom Deputy's Minutes of January 1996 trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks :, Declaring Mistrial Darryl Ellis (1) count(s) 1s, 2s, Darrell B. (2) count(s) 1, 2, Levoil L. Jackson (3) count(s) 1, 4, Samuel Peaks (4) count(s) 1, 4, 5 Witness and exhibit lists attached. (dkt clerk) Modified on 01/29/1996 (Entered: 01/29/1996)
01/25/1996	185	MOTION by USA for return of all evidence used in this case. [185-1] referred to Judge Ira De Ment (dkt clerk) Modified on 01/30/1996

		(Entered: 01/26/1996)
01/26/1996	187	ORDER granting government [185-1] motion for return of all evidence used in this case. (Signed by Judge Ira De Ment) Copies mailed counsel, Copies furnished to: USA, USM, USPO (dkt clerk) Modified on 01/30/1996 (Entered: 01/26/1996)
01/26/1996		**Terminated document as to Darryl Ellis : terminating [185-1] motion for return of all evidence used in this case. as to Darryl Ellis (1) Order entered 1/26/96 granting government's motion for return of evidence; motion not terminated at the time order was docketed. (dkt clerk) (Entered: 08/07/1996)
01/29/1996	189	MOTION by Darryl Ellis for Trial Transcript [189-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 01/30/1996)
01/29/1996	190	CJA 20 as to Darryl Ellis : Appointment of Attorney David B. Byrne, III Voucher # 0732266 (Signed by Judge Ira De Ment) , (dkt clerk) (Entered: 01/30/1996)
01/30/1996		STAMPED ORDER as to Darryl Ellis granting [189-1] motion for Trial Transcript as to Darryl Ellis (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) (Entered: 01/30/1996)
02/22/1996	198	SUPERSEDING INDICTMENT as to Darryl Ellis (1) count(s) 1ss, 2ss, Darrell B. Walker (2) count(s) 1s, 2s, Levoil L. Jackson (3) count(s) 1s, 3s, 4s, Samuel Peaks (4) count(s) 1s, 3s, 4s , N Pamela Clark (5) count(s) 1 , Reteshia Harris (6) count(s) 1, 5 , Hardy Williams (7) count(s) 1 (dkt clerk) (Entered: 02/26/1996)
02/22/1996	199	MOTION by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks to Dismiss prior indictment [199-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 02/26/1996)
02/26/1996	200	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, directing the U.S. Marhsal to produce defendants at arraignment , set Arraignment for at 1:00 3/6/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks for Second Floor Courtroom before Mag. Judge John L. Carroll in Second Floor Courtroom (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, (dkt clerk) (Entered: 02/26/1996)
02/27/1996	204	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks granting [199-1] motion to Dismiss prior indictment as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4) (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM (dkt clerk) (Entered: 02/27/1996)
02/27/1996		DISMISSAL of Count(s) on Government Motion as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks Counts Dismissed: Darryl Ellis (1) count(s) 1s, 2s, Darrell B. Walker (2) count(s) 1, 2, L.

		Jackson (3) count(s) 1, 4, Samuel Peaks (4) count(s) 1, 4, 5 (dkt clerk) (Entered: 02/27/1996)
02/29/1996	205	ARRAIGNMENT NOTICE as to Darryl Ellis ; Arraignment at 1:00 3/6/96 for Darryl Ellis at Second Floor Courtroom before Mag. Judge John L. Carroll ; ARRAIGNMENT Notice sent to ATTORNEYS David B. Byrne III for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA; furnished to defendant, USM, PO, PTSO (dkt clerk) (Entered: 02/29/1996)
03/06/1996		ARRAIGNMENT as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Reteshia Harris held before Mag. Judge John L. Carroll on 3/6/96 Defendant(s) appeared with counsel and after having been advised of Defendant(s') rights, entered a plea of not guilty. (dkt clerk) (Entered: 03/07/1996)
03/06/1996	213	Courtroom Deputy's Minutes as to Darryl Ellis: Re: Arraignment (dkt clerk) (Entered: 03/07/1996)
03/07/1996		**Reset last document number to 218 (dkt clerk) (Entered: 03/07/1996)
03/07/1996	221	ORDER on Arraignment as to Darryl Ellis directing that Pretrial Motions due by 3/10/96 for Darryl Ellis ; Jury Trial Date set for 4/29/96 for Darryl Ellis at U.S. Courthouse Jury Selection Date set for 4/29/96 for Darryl Ellis at U.S. Courthouse and government response to pretrial motions and discovery requests due within 10 days from motion filing date; that the government shall respond to all Brady requests no later than 3 working days prior to the pretrial conference and provide defense counsel with all Jencks Act statements no later than the day scheduled for the ocmment of the trial. (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM (dkt clerk) (Entered: 03/07/1996)
03/07/1996	221	ORDER as to Darryl Ellis, set Discovery deadline to for 3/11/96 for Darryl Ellis , set Pretrial Conference for for 3:00 4/1/96 for Darryl Ellis at U.S. Courthouse before Mag. Judge John L. Carroll in chambers (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM (dkt clerk) (Entered: 03/07/1996)
03/13/1996		TRANSCRIPT filed in case as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks for trial held dates of 1/12/96 to 1/17/96 before Judge Ira DeMent. (Jimmy Dickens-Court Reporter) Volumes I-III (dkt clerk) (Entered: 03/14/1996)
03/13/1996		**Reset last document number to 222 (dkt clerk) (Entered: 03/14/1996)
03/19/1996	223	TRIAL NOTICE as to Darryl Ellis ; Trial set for 10:00 4/29/96 for Darryl Ellis at First Floor Courtroom ; TRIAL Notice to ATTORNEYS David B. Byrne III for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA ; Clothing Notice mailed with jury profile notice. Copies furn. to USM, PO, PTSO, deft. (dkt clerk) (Entered: 03/19/1996)

03/19/1996	228	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Reteshia Harris, set voir dire questions due on 4/22/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Reteshia Harris , set proposed jury instructions due on 4/22/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Reteshia Harris; that all trial exhibits are to be premarked. (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 03/19/1996)
03/20/1996	234	MOTION by Darryl Ellis for election or separate trial of counts , and for Severance of defendants [234-1] and [234-2] referred to Judge Ira De Ment (dkt clerk) (Entered: 03/20/1996)
03/22/1996	241	CJA 20 Authorization to pay David B. Byrne III for defendant Darryl Ellis , Amount: \$ 8726.32 Voucher # 0642874 (Signed by Judge Ira De Ment) , (nhr) (Entered: 03/25/1996)
03/27/1996	244	ORDER as to Darryl Ellis, that the United States show cause no later than 4/8/96 why defendant's motion for election or separate trial of counts and for severance of defendants should not be granted (Signed by Judge Ira De Ment Copies mailed to: counsel, Copies furnished to: USA, PTSO (dkt clerk) Modified on 03/27/1996 (Entered: 03/27/1996)
03/29/1996	246	RESPONSE by USA as to Darryl Ellis, Darrell B. Walker, Samuel Peaks, Reteshia Harris in opposition to [237-1] motion for election or separate trial of counts, [237-2] motion separate trials of defendants, [234-1] motion for election or separate trial of counts, [234-2] motion for Severance of defendants, [240-1] motion to Sever his trial from the trial of Retesha Harris, [231-1] motion to Sever Count from Indictment; referred to Judge DeMent. (dkt clerk) (Entered: 03/29/1996)
03/29/1996	248	Proposed Jury Instructions by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Reteshia Harris. Referred to Judge DeMent. (dkt clerk) Modified on 03/29/1996 (Entered: 03/29/1996)
04/11/1996		Subpoena issued and delivered to Marshal for service. (dkt clerk) (Entered: 04/11/1996)
04/12/1996	261	MOTION by Darryl Ellis to Adopt Darrell B. Walker's Requested Voir Dire Questions [261-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 04/12/1996)
04/12/1996	262	MOTION by Darryl Ellis to file request for subpoenas under Seal [262-1] referred to Judge Ira De Ment. Referred to Magistrate Judge Carroll per Judge DeMent. (SEALED PER ORDER ENTERED 4/16/96) (dkt clerk) Modified on 04/16/1996 (Entered: 04/12/1996)
04/12/1996	263	EX PARTE MOTION by Darryl Ellis to issue subpoenas [263-1] referred to Judge Ira De Ment. Referred to Magistrate Judge Carroll per Judge DeMent. (SEALED PER ORDER ENTERED 4/16/96). (dkt clerk) Modified on 04/16/1996 (Entered: 04/12/1996)

04/16/1996		STAMPED ORDER as to Darryl Ellis granting [261-1] motion to Adopt Darrell B. Walker's Requested Voir Dire Questions as to Darryl Ellis (1) (Entered by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 04/16/1996)
04/16/1996		VOIR DIRE QUESTIONS filed by defendant Darrell B. Walker has been adopted by Darryl Ellis per Order dated 4/16/96. (nhr) (Entered: 04/16/1996)
04/16/1996	264	ORDER as to Darryl Ellis granting [262-1] motion to file request for subpoenas under Seal; granting [263-1] motion to issue subpoenas as to Darryl Ellis (1); that the Clerk is Directed to issue subpoenas as outlined in Order; that the U. S. Marshal's Service execute and serve the necessary process herein cited above; that any witness fees and mileage due will be paid in the same manner that such fees and expenses are paid for witnesses subpoenaed by and on behalf of the U. S.; that the motion to seal, the motion for issuance of subpoenas and this Order be placed under SEAL until further order of the court. (Signed by Mag. Judge John L. Carroll) Copies mailed to: David Byrne, III, Counsel, Copies furnished to: USM for service of process. (Doc Nos. 262, 263, & 264 placed under SEAL) (nhr) (Entered: 04/16/1996)
04/19/1996		VOIR DIRE QUESTIONS filed by defendant Darrell B. Walker has been adopted by Reteshia Harris per Order dated 4/19/96 (dkt clerk) (Entered: 04/19/1996)
04/22/1996	279	Proposed Jury Instructions by Darryl Ellis. (Nos. 1 - 23) Referred to Judge DeMent. (nhr) (Entered: 04/23/1996)
04/23/1996	283	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams granting [272-1] motion to continue 4/29/96 trial of Pamela Clark (5), Trial Continued in the Interests of Justice. Time Excluded from 4/24/96 to 8/5/96 , reset Jury Trial on 10:00 8/5/96 for Darryl Ellis, for Darrell B. Walker, Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris, for Hardy Williams before Judge Ira De Ment in First Floor Courtroom , reset Jury Selection for for 10:00 8/5/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris, for Hardy Williams at First Floor Courtroom before Judge Ira De Ment in First Floor Courtroom (Signed by Judge Ira De Ment) Copies mailed to: counsel, defendant, Copies furnished to: USA, PO, USM, BRENDA (dkt clerk) (Entered: 04/24/1996)
04/24/1996		**Terminated deadlines as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams (dkt clerk) (Entered: 04/24/1996)
05/01/1996	284	MEMORANDUM OPINION and ORDER as to Darryl Ellis, Darrell B. Walker, Samuel Peaks, Reteshia Harris granting [237-1] motion for election or separate trial of counts as to Reteshia Harris insofar as Count 5

		is severed from the indictment (6), denying [237-2] motion separate trials of defendants as to Reteshia Harris (6), granting [234-1] motion for election or separate trial of counts as to Darryl Ellis insofar as Count 5 is severed from the indictment (1), denying [234-2] motion for Severance of defendants as to Darryl Ellis (1), denying [240-1] motion to Sever his trial from the trial of Retesha Harris as to Samuel Peaks (4), granting [231-1] motion to Sever Count 5 from Indictment as to Darrell B. Walker (2) (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM, MARIE (dkt clerk) Modified on 05/01/1996 (Entered: 05/01/1996)
06/25/1996	304	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, set Pretrial Conference for 11:15 7/8/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris, In Chambers before Mag. Judge John L. Carroll (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM (dkt clerk) Modified on 06/25/1996 (Entered: 06/25/1996)
07/02/1996	305	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, reset voir dire questions due on 7/26/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris , reset proposed jury instructions due on 7/26/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris , and reset Motion in Limine Filing deadline to 7/22/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris ; that all Trial exhibits be premarked. (Signed by Judge De Ment) Copies mailed to: All Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 07/02/1996)
07/02/1996	306	TRIAL NOTICE as to Darryl Ellis ; Trial set for 10:00 8/5/96 for Darryl Ellis at First Floor Courtroom ; TRIAL Notice to ATTORNEYS David B. Byrne III for defendant Darryl Ellis ; Clothing Notice mailed; furnished to: USA, USM, USPO, USPTS. (dkt clerk) (Entered: 07/02/1996)
07/09/1996	312	PETITION by USA for Writ of Habeas Corpus ad testificandum as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams for Keysha Powell to appear on 8/5/96 @ 10:00 a.m. to testify (referred to Judge Ira De Ment) (dkt clerk) (Entered: 07/10/1996)
07/10/1996	313	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams granting [312-1] petition for writ of habeas corpus ad testificandum addressed to Sheriff, Butler County Sheriff's Department for the appearance of KEYSHA POWELL on 8/5/96 @ 10:00 a.m. as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4), Pamela Clark (5), Reteshia Harris (6), Hardy Williams (7) (Signed by Judge Ira De Ment)

		Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge. (dkt clerk) (Entered: 07/10/1996)
07/10/1996	314	WRIT of Habeas Corpus ad Testificandum issued to Butler County Sheriff's Department for Keysha Powell appearance on 8/5/96 in case as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams. (dkt clerk) (Entered: 07/10/1996)
07/16/1996	319	Return receipt on service of trial notice on Sammy Peaks on 7/10/96. (dkt clerk) (Entered: 07/16/1996)
07/30/1996	333	MOTION by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris for order directing the U.S. Marshal to release custody of Lee Vann Anderson into the custody of Bert Bodiford beginning 7/31/96 and continuing through the trial. [333-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/31/1996)
07/31/1996	336	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris granting [333-1] motion for order directing the U.S. Marshal to release custody of Lee Vann Anderson into the custody of Bert Bodiford beginning 7/31/96 and continuing through the trial. as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4), Pamela Clark (5), Reteshia Harris (6) (Signed by Mag. Judge John L. Carroll) , Copies furnished to: USA, USM (dkt clerk) (Entered: 07/31/1996)
08/05/1996		Jury selection as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris held before Judge W. H. Albritton III on 8-5-96. LEWIS WIMBERLEY, COURT REPORTER. Trial set before Judge DeMent 8-8-96 at 9:00 a.m. (ekl) (Entered: 08/05/1996)
08/05/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris set for 9:00 8/8/96 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris at First Floor Courtroom before Judge Ira De Ment (ekl) (Entered: 08/05/1996)
08/05/1996	340	MOTION by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams for Order Directing the U.S. Marshal to Release Custody of Prisoner [340-1] referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 08/06/1996)
08/05/1996		**Reset last document number to 340 (dkt clerk) (Entered: 08/06/1996)
08/05/1996		Voir dire begun as to Darryl Ellis (1) count(s) 1ss, 2ss, Darrell B. Walker (2) count(s) 1s, 2s, Levoil L. Jackson (3) count(s) 1s, 3s, 4s, Samuel Peaks (4) count(s) 1s, 3s, 4s, Pamela Clark (5) count(s) 1, Reteshia Harris (6) count(s) 1 Jury selected by Judge Albritton. Court Reporter: Lewis Wimberley. Trial to commence 8/8/96 before Judge DeMent. (dkt clerk)

		(Entered: 08/09/1996)
08/06/1996	341	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams granting [340-1] motion for Order Directing the U.S. Marshal to Release Custody of KEYSHA POWELL for trial scheduled to begin on 8/6/96 as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4), Pamela Clark (5), Reteshia Harris (6), Hardy Williams (7) (Signed by Mag. Judge Charles S. Coody Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTS, RIDGE. (dkt clerk) (Entered: 08/06/1996)
08/08/1996		MOTION in chambers by Darryl Ellis to Suppress or in the alternative to continue trial. (dkt clerk) (Entered: 08/09/1996)
08/08/1996		ORAL ORDER as to Darryl Ellis denying [0-0] oral motion to Suppress or in the alternative to continue trial. as to Darryl Ellis (1) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 08/09/1996)
08/08/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris commenced before Judge Ira De Ment on 8/8/96. Court Reporter: Tonia B. Ayers (Regan, Pruitt & Clark.) (dkt clerk) (Entered: 08/09/1996)
08/09/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris resumes before Judge Ira De Ment on 8/9/96 (dkt clerk) (Entered: 08/20/1996)
08/12/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris resumes before Judge Ira De Ment on 8/12/96 (dkt clerk) (Entered: 08/20/1996)
08/12/1996		MOTION in open court by Darryl Ellis for Judgment of Acquittal at the close of the government's case. (dkt clerk) (Entered: 08/20/1996)
08/12/1996		ORAL ORDER as to Darryl Ellis denying [0-0] oral motion for Judgment of Acquittal at the close of the government's case. as to Darryl Ellis (1) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 08/20/1996)
08/12/1996		MOTION in open court by Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris for Judgment of Acquittal at the close of all the evidence (dkt clerk) (Entered: 08/20/1996)
08/12/1996		ORAL ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris denying [0-0] oral motion for Judgment of Acquittal at the close of all the evidence as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Samuel Peaks (4), Pamela Clark (5), Reteshia Harris (6) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 08/20/1996)
08/13/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris resumes before Judge Ira De Ment

		on 8/13/96 (dkt clerk) (Entered: 08/20/1996)
08/13/1996	343	Jury questions filed as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris (dkt clerk) (Entered: 08/20/1996)
08/14/1996		Jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris resumes before Judge Ira De Ment on 8/14/96 (Jury deliberations.) (dkt clerk) (Entered: 08/20/1996)
08/14/1996	344	Jury question filed as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris (dkt clerk) (Entered: 08/20/1996)
08/14/1996	345	JURY VERDICT of Guilty: Darryl Ellis (1) count(s) 1ss, 2ss (dkt clerk) (Entered: 08/20/1996)
08/14/1996	351	Courtroom Deputy's Minutes of jury trial as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris with attached witness and exhibit lists (Government exhibits 10, 11, 26, 28, 28A, 28B, 5 and 151 returned to U.S. Attorney at conclusion of the trial. Remaining exhibits stored in second floor exhibit room.): (dkt clerk) Modified on 08/20/1996 (Entered: 08/20/1996)
08/19/1996	352	WRIT of Habeas Corpus ad Testificandum executed for Keysha Powell on 8/19/96 in case as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris (dkt clerk) (Entered: 08/20/1996)
08/22/1996	354	MOTION by Darryl Ellis for New Trial [354-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 08/22/1996)
08/26/1996		STAMPED ORDER as to Darryl Ellis denying [354-1] motion for New Trial (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, USM, USPO, USPTSO (snc) (Entered: 08/26/1996)
08/29/1996	359	ORDER as to Darryl Ellis, set Sentencing for 9:00 on 11/26/96 before Judge Ira De Ment in First Floor Courtroom ; that counsel for both parties shall communicate in writing to PO any objections they have in regard to the presentence report, etc., on or before November 1, 1996; that counsel for both parties shall be available for a conference with PO on November 5, 1996 @ 9:00 a.m., at 136 Catoma Street, Montgomery, AL, if such meeting is deemed necessary. (Signed by Judge Ira De Ment) Copies mailed to: Counsel, defendant, Copies furnished to: USA, USM, USPO, USPTS, RIDGE, MARIE (nhr) (Entered: 08/29/1996)
09/26/1996	372	SENTENCING NOTICE as to Darryl Ellis ; Sentencing set for 9:00 11/26/96 for Darryl Ellis at First Floor Courtroom ; SENTENCING Notice sent to ATTORNEYS David B. Byrne III for defendant Darryl Ellis, Charles F. Teschner for plaintiff USA ; Copies furnished to: USM, PO, PTSO, DEFENDANT (dkt clerk) (Entered: 09/27/1996)

11/26/1996		Sentencing held before Judge W. H. Albritton III on 11-26-96 Darryl Ellis (1) count(s) 1ss, 2ss. LEWIS WIMBERLEY, COURT REPORTER. (ekl) (Entered: 11/26/1996)
11/26/1996	394	ORDER as to Darryl Ellis that the Presentence Report be filed with the Clerk of the court and placed under Seal;(Signed by Judge W. H. Albritton III) Copies mailed to: Counsel, Copies furnished to: USM, USPO, USPTS, Ern (nhr) (Entered: 12/06/1996)
11/26/1996	395	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Darryl Ellis (nhr) (Entered: 12/06/1996)
11/26/1996		Defendant Darryl Ellis, Levoil L. Jackson, Pamela Clark, Reteshia Harris reassigned to Judge W. H. Albritton III (ekl) (Entered: 12/12/1996)
12/02/1996	405	NOTICE OF APPEAL by Darryl Ellis (1) count(s) 1ss, 2ss to U.S. Circuit Court of Appeals, 11th Circuit, from the final judgment and order of conviction entered in this action on the 26th day of November, 1996. Copies mailed to: Counsel, USCA, 11th Cir., Copies furnished to: USA, USPO, USPTS, Court Reporter (dkt clerk) Modified on 12/10/1996 (Entered: 12/04/1996)
12/04/1996		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to Darryl Ellis sent to USCA (11th Circuit): [394-1] appeal (dkt clerk) (Entered: 12/04/1996)
12/04/1996		**Reset last document number to 197 (dkt clerk) (Entered: 12/04/1996)
12/05/1996		**Reset last document number to 400 (dkt clerk) (Entered: 12/05/1996)
12/06/1996	419	JUDGMENT Darryl Ellis (1) count(s) 1ss, 2ss . LIFE IMPR ON EA CT, TO RUN CONCURRENTLY; 10 YRS SUP REL ON EA CT, TO RUN CONCURRENTLY; Deft. shall participate in a substance abuse treatment program as directed by PO. \$50 SA ON EA CT , Darryl Ellis (1) count(s) 1s, 1 , 2s . Dismissed on oral motion of USA (Signed by Judge W. H. Albritton III) Copies mailed to: counsel and defendant, Copies furnished to: USA,USM,USPTS,USPO (ekl) (Entered: 12/12/1996)
12/11/1996	422	MOTION by Darryl Ellis to Proceed on Appeal in Forma Pauperis (with Affidavit In Support Attached) [422-1] referred to Judge Ira De Ment (dkt clerk) Modified on 12/12/1996 (Entered: 12/12/1996)
12/12/1996		**Reset last document number to 423 (ekl) (Entered: 12/12/1996)
12/12/1996		STAMPED ORDER as to Darryl Ellis granting [422-1] motion to Proceed on Appeal in Forma Pauperis as to Darryl Ellis (1) (Entered by Judge W. H. Albritton III) Copies mailed to: Counsel, USCA, 11th Cir., Copies furnished to: USA, USPO (dkt clerk) (Entered: 12/12/1996)
12/16/1996		USCA Case Number as to Darryl Ellis Re: [405-1] appeal USCA Number: 96-7159 (dkt clerk) (Entered: 12/19/1996)

12/20/1996		CJA-24 vouchers as to Darryl Ellis forwarded to Court Reporters Lewis Wimberley & Tonia B. Ayers for transcription. (dkt clerk) (Entered: 12/23/1996)
12/31/1996		**Reset last document number to 441 (dkt clerk) (Entered: 12/31/1996)
01/21/1997		CJA-24 voucher for transcript of 11/26/96 sentence Hearing as to Reteshia Harris forwarded to Lewis Wimberley, Court Reporter. (dkt clerk) (Entered: 01/21/1997)
01/21/1997	451	MOTION by USA as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Pamela Clark, Reteshia Harris for Return of Evidence [451-1] referred to Judge Ira De Ment (nhr) (Entered: 01/22/1997)
01/23/1997	452	ORDER as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams granting [451-1] USA's motion for Return of Evidence as to Darryl Ellis (1), Darrell B. Walker (2), Levoil L. Jackson (3), Pamela Clark (5), Reteshia Harris (6) (Signed by Judge Ira De Ment) , Copies furnished to: USA, USM, USPO, USPTS, Ridge & Helen (nhr) (Entered: 01/23/1997)
01/29/1997		TRANSCRIPT filed [Lewis Wimberley] as to Darryl Ellis for dates of 8/5/96, Jury Selection. [405-1] appeal (dkt clerk) (Entered: 01/29/1997)
01/29/1997		TRANSCRIPT filed [Lewis Wimberley] as to Darryl Ellis for dates of 11/26/96, Sentence Hearing. [405-1] appeal (dkt clerk) (Entered: 01/29/1997)
02/10/1997		Received correspondence from USCA as to Darryl Ellis (dated 2/5/97) advising Attorney David B. Byrne, III of this appointment to represent defendant Darryl Ellis on his direct appeal. (dkt clerk) (Entered: 02/10/1997)
02/11/1997		**Reset last document number to 465 (dkt clerk) (Entered: 02/11/1997)
02/11/1997	467	Certified Mail Return Receipt executed on 2/10/97 as to Boyd F. Campbell, Esq. Re: Jury Trial Notice (jct) (Entered: 02/11/1997)
02/19/1997	474	CJA 24 as to Darryl Ellis Authorization to Pay Lewis Wimberley \$ 252.00 for Transcripts of the 8/5/96 Jury Selection & 11/26/96 Sentence Hearing. (Signed by Judge W. H. Albritton III) (dkt clerk) (Entered: 02/19/1997)
02/24/1997	479	CJA 20 Authorization to pay David B. Byrne III for defendant Darryl Ellis , Amount: \$ 7849.05 Voucher # 0732266 (Signed by Judge Ira De Ment) , (nhr) Modified on 02/25/1997 (Entered: 02/25/1997)
03/07/1997		Received copy correspondence from USCA (dated 2/28/97) granting court reporter Tonia B. Ayers' extension of time for transcript to due date of: March 17, 1997, 10% discount effective: March 18, 1997. (dkt clerk) (Entered: 03/11/1997)
03/14/1997		**Reset last document number to 492 (dkt clerk) (Entered: 03/14/1997)

03/17/1997		TRANSCRIPT filed as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris for dates of August 13, 1996 Jury Trial @ 3 volumes [416-1] appeal, [409-1] appeal, Certificate of Readiness due on 3/31/97 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris [407-1] appeal, [405-1] appeal (dkt clerk) (Entered: 03/18/1997)
03/25/1997	495	CJA 24 as to Darryl Ellis Authorization to Pay Tonia B. Ayers \$ 3,009.00 for Transcript of Jury Trial held 8/8/96, 8/9/96, 8/12-14/96. (Signed by Judge W. H. Albritton III) Copies mailed to: , Copies furnished to: (dkt clerk) (Entered: 03/25/1997)
04/01/1997	496	Entry of Dismissal of Appeal (rendered 3/28/97, is issued as the mandate) of the U.S. Court of Appeals, Eleventh Circuit, Re: pursuant to dismissing [407-1] appeal , terminated pursuant to appellant Pamela Clark's motion for voluntary dismissal, Fed.R.App.P. 42 and 11th Cir. R. 42-1(a), the above referenced appeal was duly entered dismissed, as to Pamela Clark only, effective this 28th day of March, 1997. (dkt clerk) (Entered: 04/02/1997)
04/01/1997		Request for Certificate of Readiness from USCA, 11th Circuit, Re: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis due by 4/16/97 for Darryl Ellis, for Levoil L. Jackson, for Reteshia Harris (dkt clerk) (Entered: 04/15/1997)
04/15/1997		CERTIFICATE OF READINESS of record on appeal mailed to USCA, 11th Circuit and counsel: as to Darryl Ellis, Levoil L. Jackson, Reteshia Harris [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis (dkt clerk) (Entered: 04/15/1997)
05/20/1997		**Reset last document number to 506 (nhr) (Entered: 05/21/1997)
05/22/1997		**Reset last document number to 508 (dkt clerk) (Entered: 05/22/1997)
05/23/1997		**Reset last document number to 510 (dkt clerk) (Entered: 05/23/1997)
05/23/1997		**Case closed as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams (all defendants). (dkt clerk) (Entered: 05/23/1997)
06/11/1997	511	Pro Se (Letter) construed as a MOTION by Darryl Ellis for David B. Byrne, III to Withdraw as Attorney , and for Appointment of New Counsel on Appeal [511-1] referred to Judge W. H. Albritton III, [511-2] referred Judge W. H. Albritton III (dkt clerk) (Entered: 06/13/1997)
06/13/1997	512	ORDER as to Darryl Ellis denying [511-1] motion for David B. Byrne, III to Withdraw as Attorney as to Darryl Ellis (1), denying [511-2] motion for Appointment of New Counsel on Appeal as to Darryl Ellis (1); that the Clerk is DIRECTED to furnish copies of the Defendant's letter and attachment, and this order, to the Defendant's Court-appointed attorney and to the United States Court of Appeals for the Eleventh Circuit. (

		Signed by Judge W. H. Albritton III) Copies mailed to: Counsel, Defendant, USCA; Copies furnished to: USA, USM, USPO (dkt clerk) (Entered: 06/13/1997)
09/03/1997	516	Entry of Dismissal of Appeal (rendered 9/2/97, is issued as the mandate) of the U.S. Court of Appeals, Eleventh Circuit, Re: pursuant to the appellant's motion for voluntary dismissal, Fed.R.App.P. 42 and 11th Cir. R. 42-1(a), dismissing [505-1] appeal , terminated, Copies mailed to: Counsel, Defendant, Copies furnished to: USA, USPO (dkt clerk) (Entered: 09/05/1997)
10/16/1997		Received \$25 toward assessment fee for Darryl Ellis by U. S. Dept. of Justice. Receipt #67709. (nhr) (Entered: 12/05/1997)
10/27/1997		Received REQUEST for Record on Appeal from USCA re: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis (dkt clerk) (Entered: 10/29/1997)
10/29/1997		Certified and transmitted record on appeal to U.S. Court of Appeals (11th Circuit) : [416-1] appeal, [409-1] appeal, [405-1] appeal (@ 2 Boxes) (dkt clerk) (Entered: 10/29/1997)
12/01/1997		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis USCA Number: 96-7159 (dkt clerk) (Entered: 12/03/1997)
02/03/1998		Received \$36 payment towards assessment as to Darryl Ellis from DOJ debt management system. Receipt No. 69454 (dkt clerk) (Entered: 10/29/1998)
02/20/1998		TRANSCRIPT filed [James Dickens] as to Darryl Ellis, Levoil L. Jackson, Reteshia Harris for dates of 8/14/96 Certificate of Readiness due on 3/6/98 for Darryl Ellis, for Levoil L. Jackson, for Reteshia Harris [416-1] appeal, [409-1] [405-1] appeal (dkt clerk) (Entered: 02/26/1998)
03/05/1998		Received \$37 payment on assessment as to Darryl Ellis from DOJ debt management system. Receipt No. 69982 (dkt clerk) (Entered: 10/29/1998)
04/03/1998	522	Satisfaction of Judgment as to Monetary Imposition by USA as to Darryl Ellis (nhr) (Entered: 04/06/1998)
04/09/1998		Received \$2.00 payment as to Darryl Ellis from DOJ debt management system. Receipt No. 70531 (dkt clerk) (Entered: 10/29/1998)
05/01/1998		TRANSCRIPT filed as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris for dates of 8/8/96 Testimony/Proceedings & 8/13/96 Closing Arguments. Certificate of Readiness due on 5/15/98 for Darryl Ellis, for Darrell B. Walker, for Levoil L. Jackson, for Samuel Peaks, for Pamela Clark, for Reteshia Harris [416-1] appeal, [409-1] appeal, [405-1] appeal (dkt clerk) (Entered: 05/04/1998)

05/04/1998		CERTIFICATE OF READINESS of FIRST SUPPLEMENT to record on appeal mailed to USCA, 11th Circuit and counsel: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] by Darryl Ellis (dkt clerk) Modified on 05/04/1998 (Entered: 05/04/1998)
06/18/1998		TRANSCRIPT filed [Betty Murphree] as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Reteshia Harris for dates of 1/2/96 Pretrial Motion To Suppress Hearing Held before the Hon. John L. Carroll[416-1] appeal, [409-1] appeal, [405-1] appeal (dkt clerk) (Entered: 06/18/1998)
06/22/1998		CERTIFICATE OF READINES of SECOND SUPPLEMENT to record on appeal mailed to USCA, 11th Circuit and counsel: as to Darryl Ellis, Levoil L. Jackson, Reteshia Harris [416-1] appeal by Reteshia [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis (dkt clerk) (Entered: 06/22/1998)
06/25/1998		REQUEST for SECOND SUPPLEMENT to Record on Appeal from USCA re: [405-1] appeal by Darryl Ellis (1 volume transcript of M/to Suppress hearing held 1/2/96) 96-7159 (dkt clerk) Modified on 06/26/1998 (Entered: 06/26/1998)
06/25/1998		REQUEST for FIRST SUPPLEMENT to Record on Appeal from USCA re: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis (dkt clerk) (Entered: 06/26/1998)
06/26/1998		Certified and transmitted SECOND SUPPLEMENT to record on appeal to U.S. Court of Appeals (11th Circuit) as to Darryl Ellis (1 volume Transcript of 1/2/96 M/to Suppress Hearing : [405-1] appeal (dkt clerk) Modified on 06/26/1998 (Entered: 06/26/1998)
06/26/1998		Certified and transmitted FIRST SUPPLEMENT to record on appeal to U.S. Court of Appeals (11th Circuit) as to Darryl Ellis, Levoil L. Jackson, Reteshia Harris : [416-1] appeal, [409-1] appeal, [405-1] appeal (dkt clerk) (Entered: 06/26/1998)
07/06/1998		ACKNOWLEDGEMENT of RECEIPT of FIRST & SECOND SUPPLEMENTS to RECORD ON APPEAL from USCA Re: [416-1] appeal by Reteshia Harris, [409-1] appeal by Levoil L. Jackson, [405-1] appeal by Darryl Ellis USCA Number: 96-7159 (dkt clerk) (Entered: 07/14/1998)
08/06/1999		Received copy of PER CURIAM OPINION entered 3/22/99 of the USCA, 11th Circuit as to Darryl Ellis, Levoil L. Jackson. (dkt clerk) (Entered: 08/11/1999)
08/06/1999	528	JUDGMENT OF USCA issued as MANDATE on 8/4/99 (certified copy) as to Darryl Ellis, Levoil L. Jackson Re: [409-1] appeal, [405-1] appeal affirming judgment/order Darryl Ellis (1) count(s) 1ss, 2ss, Levoil L. Jackson (3) count(s) 1s, 3s Copies mailed to: Counsels', Defendants, Copies furnished to: USA, USPO (dkt clerk) (Entered: 08/11/1999)




08/06/1999		Record and exhibits as to Darryl Ellis, Levoil L. Jackson will be returned at a later date. (dkt clerk) (Entered: 08/11/1999)
12/17/1999		Received copy of PER CURIAM OPINION entered 7/2/99 of the USCA, 11th Circuit. [96-7159] (dkt clerk) (Entered: 12/20/1999)
12/20/1999		**Remove appeal flag - no further appeals pending (dkt clerk) (Entered: 12/20/1999)
07/31/2000	552	MOTION by Darryl Ellis to Vacate under 28 U.S.C. 2255 with Exhibit A attached [552-1] referred to Mag. Judge John L. Carroll/Anderson. CA No. 00-A-1017-N. Copy furnished USA (ekl) Modified on 07/31/2000 (Entered: 07/31/2000)
08/03/2000	553	ORDER as to Darryl Ellis, Response to Motion set for 8/23/00 for Darryl Ellis for [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached (Signed by Mag. Judge John L. Carroll) Copies mailed to: defendant and counsel, Copies furnished to: USA,USM,USPTS,USPO (ekl) (Entered: 08/03/2000)
08/18/2000	554	MOTION by USA as to Darryl Ellis to Extend Time 30 days to submit affidavits and respond to petition [554-1] referred to Mag. Judge John L. Carroll (ekl) (Entered: 08/21/2000)
08/22/2000	555	ORDER as to Darryl Ellis granting [554-1] motion to Extend Time 30 days to submit affidavits and respond to petition as to Darryl Ellis (1), Response by USA to Motion reset for 9/22/00 for Darryl Ellis for [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached (Signed by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA,USM,USPTS,USPO (ekl) (Entered: 08/22/2000)
08/22/2000		**Added Government Attorney Stephen P. Feaga as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams (ekl) (Entered: 08/22/2000)
08/22/2000		**Terminated attorney Charles F. Teschner for USA (ekl) (Entered: 08/22/2000)
09/21/2000	558	MOTION by USA as to Darryl Ellis to Extend Time by 7 days to file response to 2255 [558-1] referred to Mag. Judge John L. Carroll/Anderson (dkt clerk) (Entered: 09/21/2000)
09/26/2000		STAMPED ORDER as to Darryl Ellis granting [558-1] motion to Extend Time by 7 days to file response to 2255 as to Darryl Ellis (1), Response to Motion reset for 10/3/00 for Darryl Ellis for [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached (Entered by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA (dkt clerk) (Entered: 09/26/2000)
09/28/2000	559	MOTION/SUPPLEMENT by Darryl Ellis to Amend [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached by Darryl Ellis. (Amendment contained therein). [559-1] referred to Mag. Judge John L.

		Carroll (dkt clerk) (Entered: 09/28/2000)
10/02/2000	560	ORDER as to Darryl Ellis granting [559-1] motion to Amend [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached by Darryl Ellis. (Amendment contained therein). as to Darryl Ellis (1), set Motion Filing deadline to for 10/16/00 for Darryl Ellis (Signed by Mag. Judge John L. Carroll) Copies mailed to: deft, Copies furnished to: usa, uspo (sql) (Entered: 10/02/2000)
10/13/2000	561	RESPONSE (Affidavit of David B. Byrne, III attached.) by USA as to Darryl Ellis re [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached referred to Mag. Judge John L. Carroll/Anderson (dkt clerk) (Entered: 10/13/2000)
11/02/2000	562	TRAVERSE by Darryl Ellis to [561] response to movant's motion to Vacate under 28 U.S.C. 2255 (ekl) (Entered: 11/02/2000)
11/09/2000	563	ORDER as to Darryl Ellis, U.S. to Show Cause on or before 11/22/00 why it failed to address the defendant's Apprendi claims in compliance with the order entered on 10/2/00; on or before 11/22/00 the U.S. shall file a supplemental response addressing the claims raised by the defendant in his 9/28/00 amendment to his 2255 motion for Darryl Ellis (Signed by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA,USPO (ekl) (Entered: 11/09/2000)
11/22/2000	565	MOTION by USA as to Darryl Ellis to Extend Time 14 days to file response to 2255 motion [565-1] referred to Mag. Judge John L. Carroll/Anderson (ekl) (Entered: 11/28/2000)
12/05/2000		STAMPED ORDER as to Darryl Ellis granting [565-1] motion to Extend Time 14 days to file response to 2255 motion as to Darryl Ellis (1), Response to Motion reset for 12/6/00 for Darryl Ellis for [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached (Entered by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA (dkt clerk) (Entered: 12/07/2000)
12/06/2000	567	SUPPLEMENTAL RESPONSE (Exhibits 1 & 2 attached) by USA as to Darryl Ellis re [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached referred to Mag. Judge John L. Carroll/Anderson (dkt clerk) Modified on 12/07/2000 (Entered: 12/07/2000)
01/03/2001	569	MOTION by Darryl Ellis to Amend [562-1] Traverse to Government's Response by Darryl Ellis [569-1] referred to Mag. Judge John L. Carroll/Anderson (ekl) (Entered: 01/03/2001)
01/03/2001	570	REPLY by Darryl Ellis to supplemental response to amended motion under 2255 (ekl) Modified on 01/03/2001 (Entered: 01/03/2001)
01/05/2001	571	ORDER as to Darryl Ellis, Reply to Response to Motion reset for 1/25/01 for Darryl Ellis for [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached (Signed by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA, EL (dkt clerk) (Entered: 01/05/2001)

		01/08/2001)
01/05/2001	572	ORDER as to Darryl Ellis granting [569-1] motion to Amend [562-1] Traverse to Government's Response by Darryl Ellis as to Darryl Ellis (1) (Signed by Mag. Judge John L. Carroll) Copies mailed to: defendant, Copies furnished to: USA, EL (dkt clerk) (Entered: 01/08/2001)
01/24/2001	575	Amended traverse to government's response by Darryl Ellis. Referred to Mag. Judge Carroll/Anderson. (sql) (Entered: 01/24/2001)
04/23/2001		**Terminated document(s) as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams : terminating [499-1] motion to Reduce Sentence/downward departure as to Hardy Williams (7), terminating [498-1] motion to Reduce Sentence/downward departure as to Samuel Peaks (4), terminating [457-1] motion for Disclosure of intent to use any evidence of other crimes, wrongs, or acts as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, accident or any other purpose. as to Samuel Peaks (4), terminating [445-2] motion to Sever trial from co-defendant and Count 4 from Counts 1,2 and 3 as to Samuel Peaks (4), terminating [436-1] motion for Relief from Improper Joinder of Defendants for Trial under Federal Rules of Criminal Procedure 8(b) or in the Alternative, Relief from Prejudicial Joinder under Federal Rules of Criminal Procedure 14 as to Hardy Williams (7) (dkt clerk) (Entered: 04/23/2001)
06/19/2001		Magistrate Judge Vanzetta P. McPherson assigned to case for discovery matters as well as matters subsequently referred by District Judge Ira De Ment . (sql) (Entered: 06/19/2001)
09/06/2001		** Added party U.S. Pretrial, Montgomery U.S. Probation, US Marshals Service (ekl) (Entered: 09/06/2001)
09/06/2001		** Renoticed document [581-2] order to notify added parties (ekl) (Entered: 09/06/2001)
09/14/2001		Magistrate Judge Delores R. Boyd assigned to case for discovery matters as well as matters subsequently referred by District Judge Ira De Ment . (sql) (Entered: 09/14/2001)
01/22/2002	587	AFFIDAVIT of Attorney Charles M. Law (filed pursuant to 1-8-02 order) Re: [584-1] motion to Vacate under 28 U.S.C. 2255. Referred to Magistrate Judge Boyd/Anderson. (ekl) (Entered: 01/22/2002)
06/26/2002	<u>606</u>	REPORT AND RECOMMENDATIONS of Mag. Judge Delores R. Boyd as to Darryl Ellis Re: [552-1] motion to Vacate under 28 U.S.C. 2255 with Exhibit A attached ; Objections to R and R due by 7/9/02 Copies mailed to: Defendant, Copies furnished to: USA, RL, EL (ws) (Entered: 06/26/2002)
07/18/2002	<u>612</u>	ORDER as to Darryl Ellis adopting the Recommendation of the Magistrate Judge denying [552-1] motion to Vacate under 28 U.S.C. 2255

		with Exhibit A attached as to Darryl Ellis (1) (Signed by Judge W. H. Albritton III) Copies mailed to: Defendant, Copies furnished to: USA, USM, USPO, EL (ws) (Entered: 07/18/2002)
08/08/2002	619	MOTION (REQUEST) by Darryl Ellis for Relief from the Judgment and Correction of Error Pursuant to Rule 59(e), FRCP [619-1] referred to Judge W. H. Albritton III (ws) (Entered: 08/08/2002)
08/09/2002	<u>620</u>	ORDER as to Darryl Ellis granting [619-1] motion for Relief from the Judgment and Correction of Error Pursuant to Rule 59(e), FRCP as to Darryl Ellis (1) Vacating and Set Aside [612-1] order enter 7/18/02 adopting the Recommendation of the Magistrate Judge and denying the Habeas corpus petition; that the defendant is given until 8/30/02 to file an objection to the Recommendation of the Magistrate Judge (Signed by Judge W. H. Albritton III) Copies mailed to: Defendant, Copies furnished to: USA, EL (ws) (Entered: 08/09/2002)
09/03/2002	623	OBJECTION by Darryl Ellis to [0-0] report and recommendations referred to District Judge Albritton (ws) (Entered: 09/04/2002)
09/11/2002	<u>624</u>	ORDER as to Darryl Ellis that the defendant's objections be and the same are hereby OVERRULED; that the Recommendation of the Magistrate Judge are and the same is hereby ADOPTED, AFFIRMED, APPROVED, and AFFIRMED; denying the 2255 motion filed by the defendant as the claims presented therein entitle the defendant no relief (signed by Judge Ira De Ment) Copies mailed to: Defendant, Copies furnished to: USA, RL, EL,CIVIL CLERK (ws) (Entered: 09/11/2002)
10/03/2002	630	MOTION (Request) by Darryl Ellis for Reconsideration of [624-1] order denying 2255 motion [630-1] referred to Judge W. H. Albritton III (ekl) (Entered: 10/07/2002)
10/15/2002	<u>631</u>	STAMPED ORDER as to Darryl Ellis denying [630-1] motion for Reconsideration of [624-1] order denying 2255 motion as to Darryl Ellis (1) (Entered by Judge W. H. Albritton III) Copies mailed to: Deft, Copies furnished to: USA, FD, EL (ws) (Entered: 10/15/2002)
10/30/2002		**Reset last document number to 634 (ws) (Entered: 10/30/2002)
11/08/2002		** Renoticed document [638-2] order (ws) (Entered: 11/08/2002)
11/25/2002	<u>639</u>	NOTICE OF APPEAL (construed as containing a M/COA) by Darryl Ellis to U.S. Circuit Court of Appeals, 11th Circuit, from the district court's denial of his motion for 28 U.S.C. 2255, and the courts denial of his reconsideration motion requesting relief from the same claims stated in his 2255 motion. Copies mailed to: USCA, Dft, Copies furnished to: USA (kcg) Modified on 11/27/2002 (Entered: 11/27/2002)
11/25/2002	640	MOTION by Darryl Ellis to Proceed on Appeal in Forma Pauperis w/affidavit in support attached [640-1] referred to Judge Ira De Ment (kcg) (Entered: 11/27/2002)

11/25/2002	639	MOTION by Darryl Ellis for a Certificate of Appealability [639-1] referred to Judge Ira De Ment (kcg) (Entered: 11/27/2002)
11/27/2002		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to Darryl Ellis sent to USCA (11th Circuit): [639-1] appeal (kcg) (Entered: 11/27/2002)
11/27/2002		**Reset last document number to 640 (kcg) (Entered: 11/27/2002)
12/03/2002	<u>641</u>	ORDER as to Darryl Ellis denying [639-1] motion for a Certificate of Appealability as to Darryl Ellis (1), denying [640-1] motion to Proceed on Appeal in Forma Pauperis w/affidavit in support attached as to Darryl Ellis (1) (Signed by Judge Ira De Ment) Copies mailed to: USCA, Dft, Copies furnished to: USA (kcg) (Entered: 12/03/2002)
12/09/2002		USCA Case Number as to Darryl Ellis Re: [639-1] appeal USCA Number: 02-16552-G (kcg) (Entered: 12/09/2002)
12/20/2002	643	Received Notice of Jurisdictional Question from USCA as to Darryl Ellis, (1.) Whether the petitioner's motion for reconsideration, filed on October 3, 2002, tolled the period for appealing the September 11, 2002, order? (2.) If that item did not toll, whether the notice of appeal is timely filed following the entry of the September 11, 2002, order, as further set out. (kcg) (Entered: 12/24/2002)
02/18/2003		ACKNOWLEDGEMENT of RECEIPT of ORIGINAL PAPERS from USCA Re: [639-1] appeal by Darryl Ellis USCA Number: 02-16552-G (kcg) (Entered: 02/19/2003)
03/14/2003	<u>644</u>	ORDER is issued in lieu of the mandate of the United States Court of Appeals, Eleventh Circuit as to Darryl Ellis, that the Appellant appeal the denial of his motion to vacate, and to reconsider. He requests a certificate of appealability and leave to proceed on appeal in forma pauperis. Appellant's motion for a certificate of appealability is DENIED because appellant has failed to make a substantial showing of the denial of a constitutional right. Appellant's motion for leave to proceed on appeal in forma pauperis is DENIED AS MOOT. Accordingly, the district court did not err in denying appellant's 2255 and Rule 60(b) motions, and appellant's motion for a COA is DENIED. Further, appellant's motion to proceed on appeal is DENIED AS MOOT. Copies mailed to: , Copies furnished to: (kcg) (Entered: 03/14/2003)
03/14/2003		**Terminated pending appeal as to Darryl Ellis [639-1] appeal (kcg) (Entered: 03/14/2003)
03/14/2003		**Remove appeal flag - no further appeals pending (kcg) (Entered: 03/14/2003)
03/14/2003		Original Papers as to Darryl Ellis returned from USCA. (kcg) (Entered: 03/14/2003)
04/24/2003		**Added party USA Financial Unit (ekl) (Entered: 04/24/2003)

07/15/2004	 <u>668</u>	ORDER denying (doc. 665) motion for joinder of appeal pursuant to Rule 19 of the FRCP as to Darryl Ellis . Signed by Judge W. Harold Albritton III on 7/15/04. (ekl,) (Entered: 07/16/2004)
07/15/2004		***Motions terminated as to Darryl Ellis, Darrell B. Walker, Levoil L. Jackson, Samuel Peaks, Pamela Clark, Reteshia Harris, Hardy Williams: [665] MOTION for joinder of Appeal Pursuant to Rule 19 of the Federal Rules of Civil Procedure filed by Darryl Ellis, per Order #668. (kcg,) (Entered: 08/03/2005)
03/21/2005		***Set/Clear Flags as to Darryl Ellis (ws,) (Entered: 03/21/2005)
03/21/2005	 <u>669</u>	PETITION (MOTION) Pursuant to Title 18 USC 3582(c)(2) to Correct an Unconstitutionally Imposed Federal Sentence by Darryl Ellis. (ws) (Entered: 03/21/2005)
03/30/2005	 <u>672</u>	ORDER denying <u>669</u> Motion to Correct an Unconstitutionally Imposed Federal Sentence as to Darryl Ellis (1). Signed by Judge W. Harold Albritton III on 3/30/05. (ws) (Entered: 03/30/2005)